

the '024 Shkedy patent is very similar to a Priceline.com scheme in which the user must first commit to a proposed item before the item is sent out for bid by suppliers. Once the item is accepted by a supplier based on a price or criteria set by the buyer, the deal is complete and the buyer is charged at the price set. The buyer is not provided with different purchasing options or packages that may be offered by the seller. Instead, the buyer only gets what he/she specifically requested and at the user's asking price.

The claimed invention is quite different from the systems and methods disclosed in the '024 Shkedy patent. Specifically, the claimed invention relates more to providing various offers to a user and then allowing the user to select the package that is right for them. Specifically, as recited in all of independent Claims 1, 2, 4, 5, 7, and 8, albeit in somewhat different language, the present invention aggregates user selections, provides these to suppliers, selects a proposed item or packages, and provides the proposed item or package to the user.

The '024 Shkedy patent nowhere teaches this last step, (e.g., providing the proposed item or package to the user.). Unlike the claimed invention, the '024 Shkedy patent does not provide the proposed item or product to the user so that the user can select whether to accept the proposed item or product.

The '024 Shkedy patent nowhere suggests providing the proposed item or product to the user. Specifically, the '024 Shkedy patent repeatedly states throughout its text that the user must commit to purchase of an item before the item is ever put out for bid to suppliers. The '024 Shkedy patent states that it is crucial that the buyer not be able to back out, as the discount from the supplier will be based on the assurance that the user's forming the aggregated group will purchase the product. In fact, the '024 Shkedy patent states that a very object of the invention is to bind all buyers to the pool before the sale or bidding occurs. (See '024 Shkedy patent, col. 3, lines 6-8). There is nothing in the '024 Shkedy patent that teaches or suggests that the system could be used to provide "proposed" responses to the user as is recited in independent Claims 1, 2, 4, 5, 7, and 8. One skilled in art looking to provide a user with different proposed packages based on the user's input request would not look to the disclosure of the '024 Shkedy patent, as this patent places an emphasis on binding the buyer prior to bidding and thus, does not provide the user with a "proposed" item or object. As this recitation of independent Claims 1, 2, 4, 5, 7,

and 8 is not taught or suggested by the cited reference, Applicant respectfully submits independent Claims 1, 2, 4, 5, 7, and 8, as well as the claims that depend therefrom are patentable.

In addition to the patentable distinctions noted above, Applicant also notes additional recitations in the dependent claims that are also patentable. For example, dependent Claims 3, 6, and 9 all recite transmitting travel option information related to the proposed travel product to the user. As mentioned above, the '024 Shkedy patent does not provide travel options to the user following the bidding process. The user must commit to an item prior to placement of bids. There are no options offered after the bidding process. As such, there is no teaching or suggestion of transmitting travel option information to a user.

In addition Claims 23-28 were added to recite how a package having multiple items is processed. Specifically, the claims recite that each item in the package is transmitted to a plurality of suppliers, who may be able to supply all or only one of the items. Based on the responses from the suppliers, the claimed invention creates "proposed" packages that contain information from the different suppliers for different items in the package. The '024 Shkedy does not disclose creation of packages at all, much less one that has several items which are supplied by different suppliers to the user in a proposed package. Applicant respectfully submits that Claims 3, 6, 9, and 23-28 are therefore patentable for these additional reasons.

CONCLUSION

In view of the amended claims, newly added claims, and the remarks presented above, it is respectfully submitted that all of the present claims of the application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required

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therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

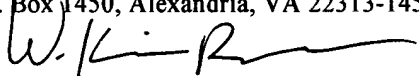


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W. Kevin Ransom

Version with Markings to Show Changes Made:

In The Claims:

Please cancel Claims 10-22 and amend Claims 2, 5, and 8 as follows:

2. (Amended) A method for aggregating and satisfying demand for travel products, the method comprising the steps performed by a data processing system[,] of:

aggregating information reflecting demand for a set of travel products based on input requests, each request having been received from a remote user and including remote user identification information;

selecting a proposed group travel product based on the aggregated information; and

providing information reflecting the proposed group travel product to the remote user based on the remote user identification information.

5. (Amended) A system for aggregating and satisfying demand for travel products, comprising:

a processor for executing programs; and

memory for storing a program executable by the processor, the stored program including instructions for (i) aggregating information reflecting demand for a set of travel products based on input requests, each request having been received from a remote user and including remote user identification information, (ii) selecting a proposed group travel product based on the aggregated information, and (iii) providing information reflecting the proposed group travel product to the remote user based on the remote user identification information.

8. (Amended) A computer readable medium containing instructions for controlling a computer system to perform a method for aggregating and satisfying demand for travel products, the method comprising:

aggregating information reflecting demand for a set of travel products based on input requests, each request having been received from a remote user and including remote user identification information;

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selecting a proposed group travel product based on the aggregated information; and
providing information reflecting the proposed group travel product to the remote user
based on the remote user identification information.